REMARKS

The office action of June 27, 2005 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1 through 26 remain in this case.

Rejection under 35 U.S.C. §102

Claims 1-3, 5, 9-11, 13-16, 19-22 and 24-26 were rejected under 35 U.S.C. 102(b) as being anticipated by Moore et al (SID 1997 Digest, pp. 1055-1058). Applicant respectfully disagrees with the rejection.

For a reference to anticipate an invention, the reference must disclose every component of the claim.

Claim 1 includes, in part, "such that the array of complex-shaped glass fibers and the wire electrode form the fluorescent lamp". A lamp is defined in the present application. "A 'lamp' as defined and used throughout this application and understood by those skilled in the art, is a device used for illumination purposes only. A lamp is a single pixel structure (the single pixel can include three separate primary colors referred to in display language as "subpixels", which can be separately controlled, for example in a lamp to generate a multitude of colors, see Figure 16). Since a lamp is designed to light a room or other area, it is usually run with its entire surface illuminated to the same intensity level. The frequency of the high voltage AC power being applied to the lamp can be controlled to get different illumination levels. In contrast, a "display" is a device that produces an image. In order to produce that image, a display must necessarily include multiple pixels." (present application page 4, lines 10-18).

The Examiner states that Moore discloses a fluorescent lamp, and points to figure 1 to support that statement. Figure 1 does not, however, show a fluorescent lamp. Instead, Figure 1 "is a representation of a fiber-based surface-discharge AC plasma display". As known by someone skilled in the art, and defined in the application, a "display" produces an image, and includes multiple pixels. A plasma display is not a fluorescent lamp, and Moore does not disclose a fluorescent lamp.

Therefore, it is respectfully suggested that the rejection of independent claim 1 as being anticipated by Moore is overcome.

Dependent claims 2-3, 5, 9-11, 13-15, 19-22, and 24-26, being dependent upon and further limiting independent claim 1, should also be allowable for that reason, as well as for the additional recitations they contain. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 4, 6-8, 12 and 17-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. Applicant respectfully disagrees with this rejection. The argument regarding the anticipation of claim 1 is repeated herein by reference.

Regarding claim 1, upon which claims 4, 6-8, 12, and 17-18 depend, Moore does not teach or suggest all of the elements of the claim.

Claim 1 includes, in part, "such that the array of complex-shaped glass fibers and the wire electrode form the fluorescent lamp". A lamp is defined in the present application. "A 'lamp' as defined and used throughout this application and understood by those skilled in the art, is a device used for illumination purposes only. A lamp is a single pixel structure (the single pixel can include three separate primary colors referred to in display language as "subpixels", which can be separately controlled, for example in a lamp to generate a multitude of colors, see Figure 16). Since a lamp is designed to light a room or other area, it is usually run with its entire surface illuminated to the same intensity level. The frequency of the high voltage AC power being applied to the lamp can be controlled to get different illumination levels. In contrast, a "display" is a device that produces an image. In order to produce that image, a display must necessarily include multiple pixels." (present application page 4, lines 10-18).

The Examiner states that Moore teaches a fluorescent lamp, and points to figure 1 to support that statement. Figure 1 does not, however, show a fluorescent lamp. Instead, Figure 1 "is a representation of a fiber-based surface-discharge AC plasma display". As known by someone skilled in the art, and defined in the application, a "display" produces an image, and includes multiple pixels. A plasma display is not a fluorescent lamp, and Moore does not teach or suggest a fluorescent lamp. Therefore, claim 1 is not obvious over Moore.

Regarding claim 8, which includes "wherein the electricity is capacitively coupled to the plasma through a portion of the fiber from the wire electrode", the Examiner states that "how the electricity is provided to device does not change the basic structure of fluorescent lamp and therefore such limitation is not deemed patentable." (present office action dated June 27, 2005, page 4, lines 9-11). However, claim 8 adds a structural element: "the electricity [being] capacitively coupled to the plasma through a portion of the fiber from the wire electrode." The Examiner does not appear to be using the legal standard for obviousness when he states that the limitation is not deemed patentable.

"'A claimed invention is unpatentable for obviousness if the differences between it and the prior art "are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art.' 35 U.S.C. §103(a) (1994); *Graham v. John Deere Co.*, 383 U.S. 1, 14, 148 USPQ 459, 465(1966). Obviousness is a legal question based on underlying factual determinations including: (1) the scope and content of the prior art, including what that prior art teaches explicitly and inherently; (2) the level of ordinary skill in the prior art; (3) the differences between the claimed invention and the prior art; and (4) objective evidence of nonobviousness. *Graham*, 383 U.S. at 17-18, 148 USPQ at 467; *In re Dembiczak*, 175 F.3d 994, 998, 50 USPQ 1614, 1616 (Fed. Cir. 1999*); In re Napier*, 55 F.3d 610, 613, 34 USPQ2d 1782, 1784(Fed. Cir. 1995) (stating that the inherent teachings of a prior art reference is a question of fact)." *In re Zurko*, 59 USPQ2d 1693, 1696 (Fed. Cir. 2001). The Examiner has not stated how claim 8 would have been obvious over Moore. Moore does not teach or suggest a fluorescent lamp, where the electricity is capacitively coupled to the plasma through a portion of the fiber from the wire electrode. Therefore, claim 8 is not obvious over Moore.

Dependent claims 4, 6-8, 12, and 17-18, being dependent upon and further limiting independent claim 1, should also be allowable for that reason, as well as for the additional recitations they contain. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 23 was rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. and Graber et al. (5,848,836). Applicant respectfully disagrees with this rejection. The argument regarding the anticipation of claim 1 is repeated herein by reference.

Regarding claim 1, upon which claim 23 depends, Moore does not teach or suggest all of the elements of the claim.

Claim 1 includes, in part, "such that the array of complex-shaped glass fibers and the wire electrode form the fluorescent lamp". A lamp is defined in the present application. "A 'lamp' as defined and used throughout this application and understood by those skilled in the art, is a device used for illumination purposes only. A lamp is a single pixel structure (the single pixel can include three separate primary colors referred to in display language as "subpixels", which can be separately controlled, for example in a lamp to generate a multitude of colors, see Figure 16). Since a lamp is designed to light a room or other area, it is usually run with its entire surface illuminated to the same intensity level. The frequency of the high voltage AC power being applied to the lamp can be controlled to get different illumination levels. In contrast, a "display" is a device that produces an image. In order to produce that image, a display must necessarily include multiple pixels." (present application page 4, lines 10-18).

The Examiner states that Moore teaches a fluorescent lamp, and points to figure 1 to support that statement. Figure 1 does not, however, show a fluorescent lamp. Instead, Figure 1 "is a representation of a fiber-based surface-discharge AC plasma display". As known by someone skilled in the art, and defined in the application, a "display" produces an image, and includes multiple pixels. A plasma display is not a fluorescent lamp, and Moore does not teach or suggest a fluorescent lamp. Therefore, claim 1 is not obvious over Moore.

Graber does not provide what Moore lacks. Graber discloses a fluorescent tube lighting fixture with a tubular main frame member which also acts as a conduit for routing wires between the ballast and the lamp holders (Abstract).

Claim 1 includes, in part "such that the array of complex-shaped glass fibers and the wire electrode form the fluorescent lamp". Graber does not teach or suggest complex-shaped glass fibers and wire electrodes to form a fluorescent lamp.

Since Moore and Graber, alone or in combination, do not teach or suggest all of the elements of claim 1, claim 1 is not obvious over Moore and Graber. Claim 23, being dependent upon and further limiting claim 1, should also be allowable for that reason, as well as for the additional recitations it contains. Reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

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